



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
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Michael O. Leavitt
Governor
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Executive Director
James W. Carter
Division Director

September 23, 1996

Certified Return Receipt
P 074 976 551

R. P. Horton
Indian Queen Marble
P.O. Box 150271
East Ely, Nevada 89315

Re: Large Mine Notice of Intention, Indian Queen Marble, Indian Queen Mine, M/001/019,
Beaver County, Utah

Dear Mr. Horton:

Thank you for your September 11, 1996, letter which we received September 16, 1996. On July 3, 1996, the Division sent Mr. Gary Applegate a letter which contained a September 6, 1996, deadline for our receipt of the large mine permit application for the Indian Queen Mine. As you will recall, you and Mr. Applegate met with us on August 26, 1996, and discussed the technical information needed to be included in the large mine permit application. During that meeting, you stated that you would have difficulty meeting the September 6th timeframe for submitting a complete application, but would forward as much permitting information as you could by that date. We received no information from you or Mr. Applegate until we called Mr. Applegate the week following the deadline. During that phone conversation, Mr. Munson of my staff requested a letter from you describing the reasons for not providing us with any information by September 6th. The Division received your response letter on September 16, 1996.

The following reasons were given for the delay:

1. You are currently working with a surveyor to determine elevations, benches, and disturbance areas. This information is necessary for you to prepare the required maps for the permit application.
2. You have been trying to obtain soils data from the Soil Conservation Service. You stated that you will not be able to supply the requisite soils data until the Soil Conservation Service staff can schedule some time to perform a survey of the area. It is uncertain when this soil survey work will be conducted.

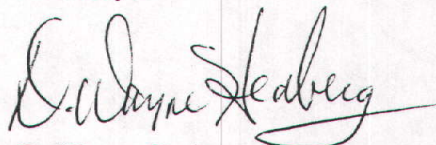
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A fax was sent to you on September 17, 1996, by Mr. Lynn Kunzler of my staff. This fax outlined Soil Parameters to test/analyze for. It also asked you to show proposed/actual topsoil and overburden pile locations on appropriate maps. Mr. Kunzler also asked you to provide an estimate of the average depth and volume of soil material that can be salvaged for use in final reclamation of the mine site.

To assist you in resolving this outstanding non-compliance issue without further delay, we will extend the deadline for our receipt of the large mine application until October 30, 1996. Because of the extensive time period that has passed since the operator was first advised that a large mining permit is required for this site, it is critical that this permitting action be completed as expeditiously as possible. It is our preference to work with Indian Queen Marble to resolve this permitting issue without the need for further enforcement action.

You are reminded that continued mining operations are restricted to the five (5) acre disturbed area, which the operator has previously outlined on a map of the mine area, until your large mine application is approved by this office. If you have questions or concerns regarding this letter, or need assistance in completing the informational requirements of the large mine permit application, please contact us at your earliest convenience.

Sincerely,



D. Wayne Hedberg
Permitting Supervisor
Minerals Reclamation Program

jb
cc: Gary Applegate, Indian Queen Marble
Mary Ann Wright, Associate Director
M001019.let